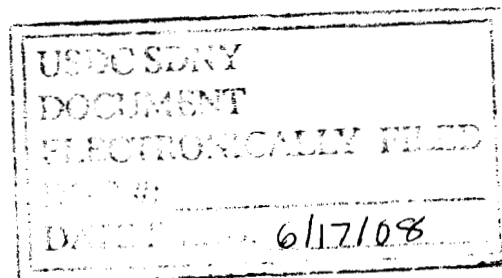


Bryan Blaney
NORRIS MCLAUGHLIN & MARCUS
875 Third Avenue, 18th Floor
New York, New York 10022
Telephone (212) 808-0700
Attorneys for Defendant
Environmental Energy Recycling Corporation, LLC.



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TRI-STATE BIODIESEL, LLC,

Plaintiff,

v.

ENVIRONMENTAL ENERGY RECYCLING
CORPORATION, LLC.

Defendant.
-----X

Civil Case No.:
08-CIV-2997

~~PROPOSED~~ ⁹ ORDER

This matter having been brought before the Court by Norris, McLaughlin & Marcus,
(Bryan Blaney, Esq. appearing), and on notice to Counsel of Record in the above-captioned
matter case, and

Upon review of the letter submitted by counsel; and
Consent of the plaintiff

IT IS ON THE 17th day of June, 2008;

ORDERED

that the time for the Defendant to file its response to the Complaint, Affirmative Defenses and Counter-Claims is extended until June 13 2008.

Dated: 6/17/08

A handwritten signature in black ink, appearing to read 'RMB', is written above a horizontal line.

Honorable Richard M. Berman
United States District Judge